



0120 Rec'd PCT TO 09 JUN 2003

PCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:

Examiner:

In re application of:

Herve Fridman *et al.*

Serial No.: 09/980,545

Filing Date: March 27, 2000

Attorney Docket No.: SF0941 K1 US

COMPOSITIONS AND METHODS
FOR TREATING CELL
PROLIFERATION DISORDERS

STATUS INQUIRY

Kenilworth, NJ 07033
June 4, 2003

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request the status of the above-identified application. The application is a 35 U.S.C. § 371 National Phase application of International Application No. PCT/US00/08081, filed March 27, 2000, which claims priority from European Application No. EP 99401191.4, filed May 17, 1999.

Applicants have not received any correspondence from the USPTO for approximately 11 months. Applicants last submission to the USPTO was a Response to Notification of Defective Response, mailed July 16, 2002. The Response, copy enclosed, included a Transmittal Form (1 page), Response (2 pages), Preliminary Amendment (1 page), copy of the Notification (2 pages), Sequence Listing (3 pages) and Return Receipt Postcard. The Notification of Defective Response had a mailing date of June 25, 2002.

I have also enclosed a copy of the Postcard, showing that the Response was received in the USPTO on July 22, 2002.

If you have any questions regarding this matter, please call the undersigned at the number below.

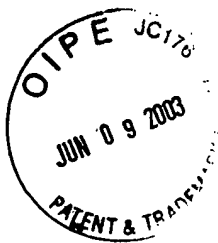
Respectfully submitted,



Michael G. Biro
Reg. No. 46,556

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2000 Galloping Hill Road
Kenilworth, NJ 07033-0530

Phone: (908) 298-5098
Fax: (908) 298-5388



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/980,545	
	Filing Date	March 27, 2000	
	First Named Inventor	Fridman et al.	
	Group Art Unit	To Be Determined	
	Examiner Name	To Be Determined	
Total Number of Pages in This Submission	9	Attorney Docket Number	SF0941K1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Copy of Notification of Defective Response (2 pgs.); Preliminary Amendment (1 pg.); Sequence Listing (3 pgs.); Post Card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jaye P. McLaughlin, Reg. No. 41,211
Signature	
Date	July 16, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: July 16, 2002			
Typed or printed name: Jaye P. McLaughlin			
Signature		Date	Jaye P. McLaughlin

⊕ Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Fridman et al.

Serial No.: 09/980,545 Atty: JPM:sa

Filed: March 27, 2000 Case No: SF0941K1

For: COMPOSITIONS AND METHODS FOR TREATING
CELL PROLIFERATION DISORDERS

Enclosed:

☐ Application papers comprising:

☐ Request for Filing Provisional Appln.

☐ Request for Filing Patent Appln.

_____ pages of Specification

_____ pages of Claims

_____ pages of Abstract

_____ sheets of Drawing (formal/informal)

☐ Declaration/Power of Attorney

☒ Transmittal letter == 1 Page

☐ Amendment

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Petition for Extension of Time

☒ Preliminary Amendment - 1 Page

☐ Information Disclosure Statement

☐ Form PTO 1449

☒ Sequence Listing (Paper Copy) - 3 Pages

☒ Response to Notification of Defective
Response - 2 Pages

☐ Charge to Deposit Account No. 19-0365
in the amount of \$ _____

☒ Copy of Notice of Defective Response - 2 pgs.

☒ Post Card

☐

Date Mailed: JULY 16, 2002

Express Mail Label No.: _____

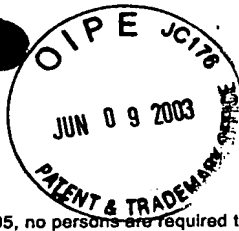
BEST AVAILABLE COPY

Attorney Docket No.: SF0941K

Application No.: 09/980,545

Filing Date: March 27, 2000

Inventor: Herve Fridman et al.



PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

MAIL STOP PCT

on June 4, 2003

Date

Michael G. Biro

Signature

Michael G. Biro, Reg. No. 46,556

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Documents submitted:

Status Inquiry - 2 pages

Copy of a Response to the Notification of Defective Response - 11 pages

Certificate of Mailing- 1 page

Return Postcard

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fridman *et al.*

Serial No.: 09/980,545

Filed: March 27, 2000

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Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Atty. Docket No.: SF0941K1

**For: COMPOSITIONS AND METHODS FOR TREATING CELL
PROLIFERATION DISORDERS**

Assistant Commissioner For Patents

Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

This is in response to a Notification of Defective Response dated June 25, 2002 in the above-identified case. Enclosed is a copy of the Notice.

REMARKS

Applicants have enclosed an initial paper copy of the "Sequence Listing" and an amendment directing its entry into the specification.

The undersigned attorney for Applicants hereby states pursuant to 37 C.F.R. § 1.821(f) that the information recorded in the CRF submitted on March 5, 2002 is identical to the information in the enclosed written Sequence Listing.

CONCLUSION

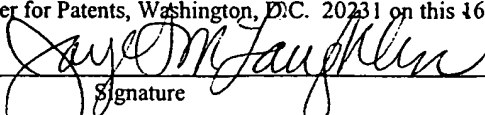
Applicants believe that the present submission is fully responsive to the Notice. Early and favorable action is earnestly solicited.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on this 16th day of July 16, 2002.

Date

7/16/02

Signature



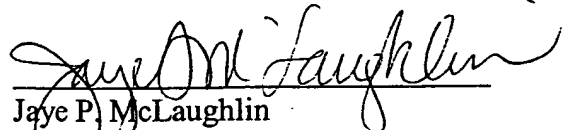
Jaye P. McLaughlin
Reg. No. 41,211

Please charge any additional fees or credit overpayment to Deposit Account No. 19-

0365.

Respectfully submitted,

SCHERING-PLOUGH CORPORATION
Patent Department, K-6-1, 1990
2000 Galloping Hill Road
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Jaye P. McLaughlin
Reg. No. 41,211
Attorney for Applicants
(908) 298-4299

26427_1

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box 101
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09 980,545	Herve Fridman	SF0941K1

Jaye P McLaughlin
 Schering-Plough Corporation
 Patent Department -K-6-1 1990
 2000 Galloping Hill Road
 Kenilworth, NJ 07033-0530

PATENT DEPARTMENT RECEIVED	
JUL 02 2002	
Computer Input	<i>[initials]</i>
Date:	<i>7/3/02</i>
PA:	<i>[initials]</i>
Attny:	<i>[initials]</i>
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INTERNATIONAL APPLICATION NO.	
PCT/US00/08081	
I.A. FILING DATE	PRIORITY DATE
03/27/2000	05/17/1999

CONFIRMATION NO. 5775
 371 FORMALITIES LETTER



OC000000008334958

Date Mailed: 06/25/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

*Response Due to
July 25, 2002*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9117

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,545	PCT/US00/08081	SF0941K